

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

HOWARD DELACRUZ-BANCROFT,

Plaintiff,

vs.

**FIELD NATION LLC, SPARTAN
COMPUTER SERVICES / NATIONAL
SERVICE CENTER AKA SCS/NSC, and
JACK IN THE BOX INC.**

No.: 1:23-cv-00023 JB-KK

Defendants.

NOTICE OF COMPLETION OF BRIEFING

Defendant Jack in the Box Inc., by and through counsel, Gordon Rees Scully Mansukhani, LLP, hereby gives notice pursuant to D.N.M.LR-Civ. 7.4(e) that briefing is complete on *Jack in the Box Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction and Failure to State a Claim* (the "Motion to Dismiss"), and the same is ripe for ruling. As grounds:

1. The Motion to Dismiss was filed in state court on December 20, 2022, seeking dismissal of Plaintiff's claims for lack of personal jurisdiction in Case No. D-202-CV-2022-06585.
2. On January 9, 2023, this matter was removed to the present forum.
3. After removal, on January 10 and 11, 2023, Plaintiff filed in state court two motions that could be interpreted as containing statements responsive to the Motion to Dismiss. However, the Court should not consider those motions as they were filed after removal. *See Alexander v. Kirkpatrick*, No. 19-CV-0509 JB/SMV, 2019 WL 4164882, at *2 (D.N.M. Sept. 3, 2019).
4. Jack in the Box Inc. did not respond to Plaintiff's state court motions as this matter had been removed prior to their filing, and, therefore, represents that briefing on its motion is complete and ripe for ruling.

Respectfully submitted this the 27th day of April 2023.

Respectfully submitted:

By: */s/ Christopher R. Jones*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served through the Court's e-filing system upon counsel of record and to *pro se* Plaintiff as set forth below on this the 27th day of April 2023:

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/s/ Christopher R. Jones